



David B. Cohen  
Mayor

CITY OF NEWTON, MASSACHUSETTS  
Department of Planning and Development  
Michael J. Kruse, Director

Telephone  
(617)-796-1120  
Telefax  
(617) 796-1142  
E-mail  
mkruse@ci.newton.ma.us

Public Hearing Date:	June 15, 2004
Land Use Action Date:	To Be Scheduled
Board of Aldermen Action Date:	August 9, 2004
90-Day Expiration Date:	September 13, 2004

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development  
Nancy Radzevich, Chief Planner  
Eric Jerman, Senior Planner

SUBJECT: #237-04 PEAK FITNESS, LLC/SEYMOUR SALETT, TRUSTEE, JACK REALTY TRUST petition to AMEND the site plan and parking waiver granted in SPECIAL PERMIT/SITE PLAN APPROVAL/ EXTENSION NON-CONFORMING STRUCTURE #166-93, granted July 12, 1993, to allow a service establishment and related parking to be located in an existing structure at 70 JACONNET STREET, Ward 8, NEWTON HIGHLANDS, on land known as Sec 83, Blk 28, Lot 3, containing approx 18,548 sf of land in a district zoned MIXED USE 1.

CC: Mayor David B. Cohen

---

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

I. ELEMENTS OF THE PETITION

This is an amendment of the site plan and parking waiver in Board Order #166-93, which was approved by the Board in 1993. The filing of petition #237-04 for a service establishment, specifically a specialized fitness service including adult personal fitness training and semi-private gymnastics for children. Board Order #166-93 approved a retail and wholesale business for replacement auto parts. After approximately nine years in operation as a retail and wholesale auto parts business, the site is currently vacant.

The petitioner proposes to conduct two separate uses simultaneously within the existing building, with two rooms devoted to personal training for adults, and a third, much larger, room

devoted to gymnastics training for children. The petitioner's original application stated that there would be a maximum of four (4) classes per hour, for a total of 20 children at any one time. The weekend schedule includes personal training and gymnastics classes with the addition of instructor-supervised gymnastics for children attending birthday party celebrations. Classes are proposed to be 50 minutes in duration and there will be a ½ hour transition time between some, but not all, of the gymnastics classes.

After completion of the Zoning Determination, the City Traffic Engineer's (CTE) Memo, and the draft Planning Department Memo, the attorney for the petitioner informed the Planning Department that the petitioner wishes to revise the number of children's classes to a maximum number of three (3) classes per hour, for a total of 15 children taking gymnastics at any one time. Due to the timing of this change the staff has not been able to review the petition under the newly proposed class structure. As such, this memo and supporting documents are based on the original application submittal.

## II. **ZONING RELIEF BEING SOUGHT**

*The petitioner is seeking relief from or approvals through the following section(s) of the zoning ordinance:*

- ***Section 30-13(b)(4) which allows the Board of Aldermen to grant a special permit for a service establishment in a Mixed Use 1 District;*** (The Chief Zoning Code Official has determined that the proposed use shall be considered a "service establishment.")
- ***Section 30-19(m) of the Zoning Ordinance, which allows the Board to grant a special permit for exceptions to the requirements of the Ordinance if it is determined that literal compliance is impractical do to the size, location, and grade of a lot, or if such exceptions would be in the public interest. The following waivers are required through this section:***
  - a.) ***Section 30-19(d)(10) requires one stall for each 300 square feet or fraction thereof of gross floor area for use in any bank, post office, retail store, sales room, showroom or service establishment. In addition, one (1) stall shall be provided for each three (3) employees on the largest shift;*** (Twenty-seven (27) stalls are required based on building gross floor area for the proposed service establishment plus four stalls based on the number of employees on the largest shift (estimated to be 11), totaling 31 stalls.)
  - b.) ***Section 30-19(h) Table 3, FN 10 Parking stalls within parking facilities with more than five stalls shall be set back twenty feet from the front property line;*** (There are four existing parking stalls within 3.5 feet from the front setback line.)
  - c.) ***Section 30-19(h) Table 3, FN 10 Parking stalls within parking facilities with more than five stalls shall be set back five feet from the side property line;*** (There is one existing parking stall setback only 4.4 feet from the side property line.)
  - d.) ***Section 30-19(h) Table 3, FN 10 Parking stalls within parking facilities with more than five stalls shall be set back five feet from the rear property line;*** (There is one existing parking stall setback only 3.1 feet from the rear property line.)
  - e.) ***Section 30-19(h)(2)(e) requires that end stalls restricted on one or both sides by curbs, walls, fences, or other obstructions shall have maneuvering space at the aisle end of at least five feet in depth and nine feet in width;*** (The existing parking facility has no maneuvering space for the end stalls on the southeast corner of the subject property.)

- f.) Section 30-19(h)(4)(b) requires that the maximum width of entrance and exit driveways shall be twenty-five (25) feet; (There are two existing curb-cuts, one is 35 feet wide and the second is 50 feet wide.)*
- g.) Section 30-19(i)(1) requires a perimeter landscape area of at least five feet in width; (Perimeter landscape screening is not proposed for the front area with 4 parking stalls, and much of the side parking facility with 20 stalls.)*
- h.) Section 30-19(i)(2) requires that parking facilities containing twenty stalls or more shall have interior landscaped areas; (The petition omits interior landscaped areas.)*
- i.) Section 30-19(j)(1)(a) requires parking facilities to have security lighting that maintains a minimum intensity of one foot candle on the entire surface of the parking facility; (The submitted photometric plan indicates that ten parking stalls and some of the driving lane will have less than the required illumination.)*
- j.) Section 30-19(j)(1)(b) requires that all lighting shall be arranged and shielded so as to prevent glare from the light source onto adjacent streets and properties; (The submitted photometric plan indicates that light will spill over onto abutting property and the street.)*
- *Section 30-21(a)(2)(b) which requires a special permit for any alteration, reconstruction, extension or structural change of such building or structure to provide for its use in a substantially different manner or greater extent than the existing use; (Board Order #166-93 was approved for use of site for a wholesale/retail auto parts business.)*
- *Section 23 for Site Plan Approval; and*
- *Section 24 for Special Permit approval.*

### III. **SIGNIFICANT ISSUES FOR CONSIDERATION**

*In reviewing this petition, the Board should consider the following:*

- *Whether the proposed fitness center/ gymnastics school use is appropriate for this location;*
- *Whether the parking waiver will pose an adverse impact upon the immediate neighborhood;*
- *Whether the site can accommodate pick up and drop off queues on Jaconnet Street, which is a private way; and*
- *Whether the change in use will be substantially more detrimental to the neighborhood than the current use.*

#### IV. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

##### A. Site



Photo #1: Front entrance. Petitioner proposes minor addition surrounding door, including an awning over head. A wall sign is proposed above the windows. There will be one handicapped parking stall and 3 additional parking stalls, for a total of 4 parking stalls, in this area.



Photo #2: View of east elevation and partial view of parking lot. Petitioner proposes 20 parking stalls in the parking area in addition to the 4 stalls at the front entrance, for a total of 24 parking stalls. There will be some landscape plantings added on the east side of the existing curb cut (lower left corner of image) to screen the parking area from the street.

B. Neighborhood

The subject property lies within a large Mixed Use 1 District that encompasses both sides of nearby Needham Street. To the north of the subject property is a small Mixed Use 2 District on the east side of Needham Street. Immediately north and further to the west are large Mixed Residential 1 and Single Residence 3 Districts. Submitted site plans indicate that South Meadow Brook is a 30 foot-wide brook with banks within three feet of the existing building. Needham Street lies approximately 200 feet to the west of the subject property.

V. ANALYSISA. Technical Considerations

The following table compares the existing commercial building to the technical requirements for a commercial building in a Mixed Use 1 District:

<b>MU1 District</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Minimum lot size	40,000 s.f.	<b>18, 548 s.f.</b>	<b>18, 548 s.f.</b>
Threshold by Special Permit	20,000 s.f.	18, 548 s.f.	18, 548 s.f.
Frontage	-----	170.48	170.48
Setbacks			
Front	15 ft.	<b>9.4 ft.</b>	<b>9.4 ft.</b>
Side (east)	7.5 ft.	84.8 ft.	84.8 ft.
Side (west)	7.5 ft.	<b>0.1 ft.</b>	<b>0.1 ft.</b>
Rear	7.5 ft.	<b>0.6 ft.</b>	<b>0.6 ft.</b>
Gross Floor Area/ Site Plan Approval	10,000 – 19,999 s.f.	7, 940 s.f.	7, 940 s.f.
Floor Area Ratio	1.5	.43	.43
Building height	36 ft.	13.27 ft.	13.27 ft.
Max. # of stories	3	1	1

***The Chief Zoning Code Official has reviewed the application submittal and his Zoning Determination is attached. (SEE ATTACHMENT “A”)***

As shown in the table above the subject property is 18,548 sq. ft. while the Zoning Ordinance requires a minimum lot size of 40,000 sq. ft. in the Mixed Use 1 District. The Chief Zoning Code Official has determined that it is his belief that because the building was constructed prior to 1987 — which was the year that the zone district was changed from Manufacturing to Mixed Use 1 (MU1) — the lot is not subject to the minimum lot size requirements of the MU1 District.

Front, side (west) and rear setbacks are existing and nonconforming, and the setbacks will remain the same as the petitioner is not proposing any outside construction.

B. Traffic/Parking Analysis

<b>Section 30 –19</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Min. # of Parking Spaces	31 stalls	<b>23 stalls</b>	<b>24 stalls</b>
Loading Stalls	0	0	N/A
Handicapped Stalls	1 (min.)	1	1 <b>Handicapped Accessible Aisle Not Included on Plans</b>
Min. Stall Width	9 ft.	9 ft.	9 ft.
Min. Stall Length	19 ft.	19 ft.	19 ft.
Max. Driveway Width (both on Jaconnet Street)	25 ft.	<b>35' (west) 50' (east)</b>	<b>35' (west) 50' (east)</b>
Min. Aisle Width (90 degree parking)	24 ft.	24 ft.	24 ft.
Front Setback	15 ft.	<b>2.8 ft.</b>	<b>2.8 ft.</b>
Side Yard Setback (west)	7.5 ft.	<b>4.4 ft.</b>	<b>4.4 ft.</b>
Rear Yard Setback	5 ft.	<b>3.1 ft.</b>	<b>3.1 ft.</b>
Lighting	1 ft. candle	<b>None existing</b>	<b>Does not adequately shed light on entire parking area and exceeds 0.0 at Property Lines</b>
Landscape Screening	Screen parking from abutting property	<b>None existing</b>	Some Landscaping to be added along front (Jaconnet Street) property line.
Interior Landscaping	5 %	<b>0%</b>	<b>0%</b>
Bicycle Parking	1 per 10 parking stalls (2)	<b>None existing</b>	4 stalls

The Zoning Ordinance requires 31 parking spaces for a retail establishment in a building of this size and where there are expected to be 11 employees. The petitioner indicates that 24 parking spaces will be available, including 20 in a lot to the east of the building and 4 parking spaces in front of the building near the front door of the facility.

Although not discussed in depth in this document, the Chief Zoning Code Official did consider the Zoning Ordinance's A-B+C parking formula and determined that the formula yielded the same number of required parking spaces (31) as is anticipated in

Section 30-19(d)(10), where parking spaces are determined by the square footage of a service building, and calculating 1 parking space for each 3 employees. ***The City Traffic Engineer should be expected to provide further review comments on this subject.***

Submitted plans indicate that the proposed handicap accessible stall does not satisfy the State or the City requirements, which require 8 feet widths for the handicapped accessible stall, in addition to an 8-foot wide aisle, for a total of 16 feet in width for the stall and the aisle. Submitted plans indicate the proposed handicapped accessible stall is 12 feet wide, which is 4 feet narrower than State and City requirements. The Planning Department is concerned that the proposed handicapped parking space, does not have adequate width to accommodate the required access aisle. If a sufficient aisle were provided the number of parking spaces in front of the building would be reduced to 3. If the front parking area is reduced from four to three stalls then the overall total number of parking stalls will be 22 parking stalls and 1 handicapped accessible stall, for a total of 23 parking stalls. The required waiver would be for 8 stalls.

***Prior to the Working Session, the petitioner shall revise the site plans to indicate a handicapped accessible stall of at least 8 feet in width with an abutting 8-foot wide aisle, for a total of 16 feet in width. Additionally, if the overall number of proposed parking stalls changes as a result of satisfying the handicapped accessible requirements, all plans shall be revised to indicate that the total number of stalls has been reduced to 23 parking stalls.***

As shown in the above table there are two (2) existing curb cuts to access the site from Jaconnet Street, one is 35 feet wide and the other, the access to the parking area with twenty (20) parking stalls, is 50 feet wide. Both are wider than the 25 feet allowable by the Zoning Ordinance. The Planning Department believes that the petitioner should consider reducing the width of the eastern most driveway to 25 feet. In doing so, it appears that additional landscaping could be installed between parking stall #5 and the property line, similar to what has been proposed on the other side of this driveway access. This change would also help to discourage any persons from parking next to stall #5 and encroach onto the sidewalk. Prior to the Working Session, the Planning Department recommends that the petitioner make these changes to the site and landscaping plans.

The submitted plans indicate that the gross floor area of the existing building is 7,940 s.f. The Chief Zoning Code Official has indicated that the Zoning Ordinance does not require an off-street loading area where alterations are less than 5,000 sq. ft. Therefore, the petitioner is not required to provide an off-street loading space.

The front and side (west) and rear setbacks are existing and nonconforming. The front setback is 2.8 ft and the side setback is 4.4 feet, and the rear setback is 3.1 feet whereas the Zoning Ordinance requires setbacks of 20 feet (front), 5 feet (side and rear), respectively.

The proposed lighting plan does not comply with the 1 ft. candle per square foot requirements because the entire parking area will not be lit, and where there is

illumination it appears that there will be light or glare cast beyond the property line. ***Prior to the Working Session, the petitioner should revise the photometric plan to better comply with the Zoning Ordinance.***

The petitioner will not comply with the Zoning Ordinance requirements for screening of parking areas with more than 5 parking stalls from abutting properties and streets, nor with the interior landscaping requirements.

***In his May 4, 2004 memo, the City Traffic Engineer requests that the petitioner to “present a plan for posting and enforcing (i.e. towing) on-street parking adjacent to #70 to create either short-term or long-term parking.” (SEE ATTACHMENT “B”)***

The City Traffic Engineer also notes that because Jaconnet Street is a private way, “the petitioner may self-regulate curbside parking on Jaconnet Street.” However, because each property owner along a private way is responsible for the curbside parking activity along their property frontage, abutting and nearby property owners may not permit curbside parking along their own property frontages on Jaconnet Street. ***Prior to the Working Session the petitioner should respond to the issues raised in the City Traffic Engineer memo, and revise all plans, accordingly.***

Since there is inadequate room to turn a vehicle around, drivers who park in the last two proposed parking spaces (stalls # 14 and #15) would potentially need to back out of the parking lot onto Jaconnet Street. The Planning Department is concerned that the 20 parking spaces proposed for the parking lot does not leave any room for snow storage. Since it is not permitted for snow to be pushed off the parking lot and into the ravine below—because it is within the flood plain of South Meadow Brook-- snow must be stored on-site, which may take up several parking spots, thereby further reducing the number of parking spaces available. ***Prior to the Working Session the petitioner should explain where snow will be stored or if it will be removed from the site.***

While the total number of parking spaces indicated by the petitioner is proposed to be 24 (or 23 if the handicapped stall is appropriately sized), assuming parents choose to stay to watch their children participate in gymnastics classes, the Planning Department calculates that parking requirements at certain times of day (*based upon information submitted by the petitioner*) could be as many as 36, as shown in the table on the next page.



Peak Potential Parking Demand

Parking Spaces Needed	Users
20 <sup>1</sup>	Gymnastics (parents driving 20 children, unless a carpool program is implemented)
4	Gymnastics (instructors)
2	Front desk employees
5	Personal training (employees)
5	Personal training (students)
<b>36</b>	<b>Total</b>

Since the total number of parking spaces available is proposed to be 24, and the peak potential parking demand may be much higher, the Planning Department is concerned that vehicles may enter the parking lot, discover that there are no parking spaces available, and have to back out of the parking lot onto Jaconnet Street. At the same time, other cars may be pulling into the parking lot looking for a parking space, thereby creating unsafe traffic conditions in the presence of young children. In light of this potential situation, the Planning Department is concerned about the safety of vehicular access and on-site circulation.

Finally, the Planning Department would like to note that those parents who do not wait for their children would add to traffic trips (to drop off then pick up) in the vicinity. In effect, they would be making four one-way trips within a one-hour timeframe: (1) to enter site to drop off their child, (2) to exit site, (3) to return to pick up the child, and (4) to exit site again. As noted earlier, if more parents decide to stay, the number of parking spaces may be inadequate to meet peak demand. However, if more parents decide not to stay, the number of vehicle trips will increase, thereby increasingly affecting traffic operations at the un-signalized intersection of Jaconnet Street and Needham Street, and on Needham Street itself.

Further, if most of the parents do, in fact, choose to simply drop their children off and pick them up at the end of the class, there does not appear to be sufficient room on-site to queue the vehicles at the pick up times. This may be problematic when personal trainers and clients are also on-site. Since the staff (office staff, trainers and gymnastics instructors) and adult clients will likely utilize anywhere from 8 to 16 spaces. This leaves few spaces for parents to park. Further, there does not appear to be any area to queue idling cars on site. ***Prior to the Working Session the petitioner should submit a visual queuing study that indicates exactly where and how many vehicles may queue at curbside along Jaconnet Street.***

---

<sup>1</sup> Although the traffic/ parking analysis prepared by VAI indicates that there would be a max. of 18 persons in the gymnastics area at any given hour, this conflicts with their statement that there will be 4 classes with 5 students each and 1 instructor per class. This is a max. of 4 adults and 20 students or 24 persons.

The site access and circulation problems will be further complicated by conflicts resulting from overlaps in clients/ student sessions. The Planning Department does not believe 10 minutes between classes is sufficient time—since the students will likely need to gather belongings and put on coats prior to exiting. The overlap in traffic entering for new classes while students and clients are still exiting will double the impacts of traffic and parking issues. If the Board chooses to approve this petition the Planning Department recommends a condition that there be a transition of 30 minutes between the ending of any class or training session and the start of the next sessions.

C. Land Use

The existing Board Order (#166-93) was approved eleven years ago for the use of the site as a “retail sales and wholesale business” for auto parts. The petitioner proposes to use the existing building for a specialized fitness service with two components: 1) adult personal fitness training and 2) semi-private gymnastics for children. The adult personal fitness training will be limited to one trainer per customer for 50-minute sessions and will be conducted by appointment only. The children’s gymnastics program will be conducted with one instructor for every five children. The weekend schedule includes personal training and gymnastics classes with the addition of instructor-supervised gymnastics for children attending birthday party celebrations. Hours of operation will be from 6 AM to 8 PM.

The submitted application indicates that there will be a maximum of four (4) classes of children with each class having as many as five (5) children, for a total of twenty (20) children during any one hour. There will be a maximum of five (5) adults, each with an individual personal trainer. For purposes of analyzing the potential impact of the proposed uses the Planning Department assumes a scenario of the maximum number of students, personal training clients, instructors and staff will be present at any one time.

The petitioner has submitted conflicting information as to the duration of the classes/training sessions, and the number of gymnastics classes being offered at any one time. Additionally, the scheduling of classes remains unclear as the petitioner has written; “there is a built in transition time [of 30 minutes] between classes for pick-up and drop off.” However, submitted schedules of class times, including one submitted as recent as June 3, 2004, appear to be in conflict with this statement. ***Prior to the Working Session, the petitioner should submit a revised schedule of personal training sessions and gymnastics classes that clearly indicate that there will be a minimum transition time of 30 minutes between each class and each private training session.***

After the writing of the Zoning Determination, the City Traffic Engineer review memo, and the draft of the Planning Department technical review memo, the attorney for the petitioner has informed the Planning Department that the petitioner wishes to revise the number of children’s classes to a maximum number of three (3) classes per hour, for a total of 15 children taking gymnastics at any one time. If the petitioner intends to reduce the number of classes they should submit a revised traffic and parking analysis and revised summary schedule of classes as soon as possible to allow for city staff to review.

D. Building and/or Site Design

The existing one-story building is constructed from concrete, steel and wood. Proposed improvements will be to almost entirely to interior partitioning. There will be no increase in building size or footprint.

The submitted plans appear to indicate that there will be two separate entrances with one opening up to a large reception area and servicing the children's gymnastics program and the other door accommodating the office and a waiting room for the adult personal training program. Two rooms, approximately 1,000 square feet, will be devoted to personal training for adults, and will house individual machines for weight and cardio training. A third, much larger, room will be devoted to gymnastics training for children. This room, approximately 3,800 square feet in size, will include a balance beam, uneven bars, vaults, spring floor, rings, parallel bars, pommel horse, trampoline and a "foam pit." The adult training area will include a men's and women's room with two shower stalls each. The children's gymnastics area will include three restrooms. The children's reception area will include multiple "cubby" hole temporary storage areas for the children.

The Planning Department notes that because there will be two showers in each of the adult restrooms that members of the training program will depart the site at times that do not necessarily correspond to a set schedule. As such, there will be additional demand placed upon the already thin number of parking spaces being utilized by patrons, staff and parents.

E. Department/Commission Reviews

***The Acting City Engineer is expected to complete his site engineering review prior to the public hearing.***

***The City Traffic Engineer's May 4, 2004 review is attached (SEE ATTACHMENT "B")***

***The City's Transportation Planner reviewed the petition and plans; his comments have been incorporated into the Traffic Analysis section of this memorandum.***

F. Signs

	<b>Sign Ordinance</b>	<b>Proposed</b>
Canopy Sign	As of Right, per standard permitting procedure	44 sq. ft. area

The submitted plans indicate that the petitioner is proposing to construct one sign on an existing canopy above the front door, with blue letters on a white background. The sign will be 44 square feet in size. At the request of the Planning Department, the petitioner submitted a sign package to the Urban Design and Beautification Committee (UDBC) for review. Given that the proposed canopy sign will not require a special permit, a

*complete* sign package will not be submitted to the UDBC for review until the petitioner is ready to pull a building permit.

G. Landscaping

The submitted Landscape Plan has not been drawn to the scale that is indicated on the plan.

As noted above in the parking analysis (Section V.B), the proposed landscaping does not meet several of the Zoning Ordinance requirements for a parking facility having more than twenty parking stalls. The petitioner has proposed to plant three trees and several shrubs in an effort to screen the parking facility from the abutter to the west, and from the street. The Planning Department notes that while the proposed plantings will generally enhance the visual quality of the existing building the landscape improvements do not meet the screening requirements of the Zoning Ordinance.

As previously noted, the Planning Department recommends that the eastern most driveway curb-cut (accessing the 20-stall parking facility) be reduced. This will not only improve vehicular and pedestrian safety; it should also provide an additional area for landscape screening of the parking facility. ***Prior to the Working Session, the petitioner should submit a revised landscape plan, drawn to an appropriate scale, with additional landscaping shown between parking stall #5 and the north (Jaconnet Street) property line.***

H. Conservation Commission

The City's Senior Environmental Planner notes that because the site plans appear to indicate that the petitioner is not proposing exterior construction or renovations, that there is no need for a filing with the Conservation Commission. However, the existing building is within the floodplain for South Meadow Brook, and submitted plans indicate interior construction to include an excavated hole in the floor for the foam "pit". The existing building is below the flood level, but is considered to be grandfathered. Because the proposed hole in the floor will be dug to a depth below the flood level the petitioner will be subject to the watertight construction provisions of the state building code

I. Relevant Site Plan Approval Criteria

1. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties or improvements, including regulation of the number, design and location of access driveways and the location and design of handicapped parking. The sharing of access driveways by adjoining sites is to be encouraged wherever feasible

The proposed parking facility does not appear have enough parking stalls to satisfy the peak potential parking demand. There is no "turn around" area at the end, which may result in vehicles backing out of the site. In addition, the petitioner has not provided evidence that there is adequate space available for pick-up and drop-off of children. Further, there is conflicting information regarding the spacing of classes. The Planning Department believes that unless

there is a minimum of 30 minutes between the gymnastics classes and the independent training sessions, that there may be serious problems with overlapping vehicles entering and exiting the site. Finally, the Planning Department believes that the driveway entrance should be reduced to a max. of 25 feet. This will better control traffic flow into the site and will discourage anyone from parking next to the end stall and partially blocking the sidewalk. See Section V. B.

2. Screening of parking areas and structure(s) on the site from adjoining premises or from the street by walls, fences, plantings or other means. Location of parking between the street and existing or proposed structures shall be discouraged

There are four (4) existing parking spaces located between the existing building and the street. If the petitioner agrees to plant additional landscaping adjacent to parking stall #5, as discussed extensively above, then the majority of the parking facility will be screened from the street. Only the four spaces located nearest the front door (under the overhead sign) will be unscreened from Jaconnet Street, and should not pose a significant impact upon the street or the surrounding neighborhood. See Sections V.B., and V.G.

3. Consideration of site design, including the location and configuration of structures and the relationship of the site's structures to nearby structures in terms of major design elements including scale, materials, color, roof and cornice lines

The existing building was originally used as a warehouse and retail facility for auto parts. Despite proposed substantial interior renovation, the building's exterior and site design will not be significantly changed. The incorporation of the canopy sign, if properly designed, should help soften the existing stark façade along Jaconnet Street.

#### J. Relevant Special Permit Criteria

1. The specific site is an appropriate location for such use, structure

The existing building appears to be an adequate structure for renovation to accommodate the projected uses of adult personal training and children's gymnastics training classes. However, the parking appears to be inadequate for the proposed combination and intensity of uses.

The primary impact of the proposed use will be on traffic (along Jaconnet Street), and parking. Because the vehicular impact to the site and the surrounding neighborhood are dependent upon the frequency of vehicular traffic the Planning Department notes that the petitioner must establish a schedule that allows for significant transition times (a minimum of 30 minutes) between the proposed gymnastic classes and training sessions.

2. The use as developed and operated will not adversely affect the neighborhood.

Given that there appears to be a shortage of on-site parking for the proposed uses, the Planning Department expects that the frequent curbside pick-up and

drop-off of children may impact the existing businesses and residences on Jaconnet Street as cars will likely have to queue off-site. Because Jaconnet Street is a private way, the petitioner would enjoy curbside parking privileges, even for temporary pick-up and drop-off, only along the curb included in this property's 170 feet of lot frontage. Reducing the driveway access to the main parking facility will increase curbside parking availability along Jaconnet Street.

3. There will be no nuisance or serious hazard to vehicles or pedestrians.

The existing site design, with inadequate room for the required number of parking stalls, and no provisions for turning around of vehicles in the parking lot make this a challenging location for the anticipated number of users who will be frequently entering and exiting the site. The Planning Department notes that the inadequate turn-around facilities in the parking area will likely mean that there will be several vehicles attempting to back out of the site, onto Jaconnet Street at the same time that other vehicles are entering the parking area. Additionally, the proposed plans include no designated crosswalk areas to accommodate children who will be attempting to walk from the parking area to the front door amidst the vehicles entering and exiting the site.

4. Access to the site over streets is appropriate for the type(s) and number(s) of vehicles involved;

The subject property is located on Jaconnet Street and is approximately 200 feet from the Needham Street intersection. Given that the petitioner proposes hourly sessions for personal training and gymnastics classes it appears that there will be a significant increase in traffic turning on to and off of Jaconnet and Needham Streets. The amount of trips will likely fluctuate depending on the number of parents who choose to simply drop-off/ pick-up their children vs. staying through the class.

## VI. SUMMARY

This is an amendment of the site plan and parking waiver in Board Order #166-93. The petitioner has proposed to conduct personal training for adults, and children's gymnastics classes during the weekdays. Additionally, there will be personal training and gymnastics classes on the weekend, with the added use of gymnastics classes for children's birthday party celebrations.

The 24 proposed parking stalls appears to be insufficient for the anticipated demand. The Zoning Ordinance requires 31 parking stalls for such a service establishment, and the Planning Department calculates that parking requirements at certain times of day (*based upon information submitted by the petitioner*) could be as many as 36 parking stalls. Additionally, concerns over the requirements for the handicapped accessible parking stall may actually reduce the number of proposed parking spaces to as few as 23.

In addition to concerns over the limited number of on-site parking spaces in relation to the proposed intensity of use, the petitioner appears to have placed little or no consideration on the

need for pick-up and drop-off queues. Jaconnet Street's status as a private way allows the petitioner to regulate curbside parking along the subject property's property frontage, however it also potentially limits the use of curbside parking along abutting properties.

The Planning Department believes that there are significant unresolved aspects of the petition that must be clarified by the petitioner prior to the scheduling of any Working Session.

***Prior to the Working Session:***

1. ***The petitioner should revise the site plans to indicate a handicapped accessible stall of at least 8 feet in width with an abutting 8-foot wide aisle, for a total of 16 feet in width. Additionally, if the overall number of proposed parking stalls changes as a result of satisfying the handicapped accessible requirements, all plans shall be revised to indicate that the total number of stalls has been reduced to 23 parking stalls.***
2. ***The petitioner should respond to all issues raised by the Acting City Engineer, City Traffic Engineer, and the Assistant Fire Chief.***
3. ***The petitioner should revise the photometric plan to indicate compliance with the Zoning Ordinance.***
4. ***The petitioner should submit a written request to revise the maximum number of gymnastics classes per hour.***
5. ***The petitioner should revise the site plans to include one space for off-street loading.***
6. ***The petitioner should explain where snow will be stored or if it will be removed from the site.***
7. ***The petitioner should submit a visual queuing study that indicates exactly where and how many vehicles may queue at curbside along Jaconnet Street.***
8. ***The petitioner should submit a revised schedule of personal training sessions and gymnastics classes that clearly indicate that there will be a minimum transition time of 30 minutes between each class and each private training session.***
9. ***The petitioner should submit a revised landscape plan, drawn to an appropriate scale, with additional landscaping shown between parking stall #5 and the north (Jaconnet Street) property line.***